

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matters of)	JUL 22 1999
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Deployment of Wireline Services)	FEDERAL COMMUNICATIONS COMMISSION
Offering Advanced)	OFFICE OF THE SECRETARY
Telecommunications Capability)	CC Docket No. 98-147
)	

REPLY COMMENTS OF
AMERITECH

I. INTRODUCTION

Ameritech hereby replies to the comments of several parties who urge the Commission to far exceed the level of regulation required to meet its stated objective of "ensuring that incumbent LECs are able to make their decisions to invest in, and deploy, advanced telecommunications services based on market demand and their own business plans, rather than on regulatory requirements."¹

II. THE FCC SHOULD CONTINUE ITS "OVERSIGHT" ROLE IN THE STANDARDS PROCESS.

Several parties advocate a much more active role for the Commission in the industry standards processes for advanced telecommunications services.² This approach is not advisable at this time, simply because there has been no showing that the current

¹ In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147, Further Notice of Proposed Rulemaking, released March 31, 1999 (hereinafter "FNPRM").

² See, e.g., Comments of NorthPoint, at 40-6; Comments of Covad, at 53-4; Comments of General Services Administration, at 3-5; Comments of Oklahoma PSC, at 6-7.

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standards efforts (by, e.g., the T1E1.4 Committee, as described in the FNPRM)³ have been anything less than successful in driving industry-generated solutions to the well-known interference and spectrum management issues presented.

Absent any demonstration that a problem exists in this area, the Commission should continue along the path it has chosen, as documented by the Network Reliability and Interoperability Council ("NRIC") in response to the Commission's April 1996 modification of NRIC's charter. The resulting report to the Commission⁴ outlined the Commission's current role in standards establishment, including acting as a single point of contact for information exchange, monitoring standardization activities via the Worldwide Web, and overseeing a complaint resolution process if a party believes its concerns are not addressed by current industry standards activities. In light of the demonstrated success record of current standards efforts,⁵ suggestions to the contrary are merely solutions in search of problems.

III. AMI T1 CARRIER SYSTEMS SHOULD BE INDEFINITELY GRANDFATHERED RATHER THAN REMOVED FROM SERVICE.

The Commission should reject the alarmist recommendations of a few parties who would impose upon customers of the many service providers using T1 Carrier systems

³ FNPRM, ¶ 81.

⁴ "Network Interoperability: The Key to Competition," Recommendations to the Federal Communications Commission, July 1997.

⁵ Recent Committee T1 contributions include, e.g., Technical Report 55 (October 1998), "Reliability and Survivability Aspects of the Interactions Between the Internet and the Public Telecommunications Network"; Technical Report 56 (January 1999), "Performance Guidelines for Voiceband Services over Hybrid Internet/PSTN Connections"; Technical Report 58 (January 1999), "A test Plan for Investigating the Crosstalk Potential of Digital Modems Conforming to ITU-T Recommendations V.90"; Technical Report 60 (July 1999), "Unbundled Voicegrade Analog Loops."

the service and operational problems that would result from pulling down the millions of working circuits served by this long-known interference-causing technology.⁶ In light of the complete lack of evidence regarding any actual problems with existing T1 systems as they are administered, the imposition of such drastic service-affecting measures is unwarranted. This widely accepted technology currently serves many, many customers in a cost-effective manner, without causing unmanageable interference problems. This state should continue, absent any “smoking gun” evidence that the present self-protection practices are in any way inadequate or problematic. Parties urging the Commission to do otherwise have given it absolutely no reason to change what works well today -- and has since the introduction of T1 technology in the early 1970’s.

IV. THE TERM “SIGNIFICANT SERVICE DEGRADATION” SHOULD NOT BE DEFINED IN TERMS OF CUSTOMER COMPLAINTS.

Some parties argue that, for purposes of ATS spectrum management issues, the term “significant degradation” should be defined by the Commission in terms of interference that actually causes service problems noticeable by end-user customers.⁷ These parties would have the Commission ignore interference issues until customer service is already adversely affected. Such an arrangement would have existing ILEC customers serve as “canaries in the coal mine” by complaining of interference problems to their current service providers -- at just the time when new marketplace entrants show

⁶ See, e.g., Comments of Covad (All T1 line carrier should be “migrated to one of the current DSL Technologies” by incumbent carriers), Comments of NorthPoint, at 38 (T1 must be actively segregated into “special services” binders).

⁷ See, e.g., Comments of ALTS, at 20 (n.48) (“from the perspective of the end user”); Comments of GTE, at 14-15 (“causes a customer to initiate a trouble report”).

up to offer their advanced services offerings. These efforts should be rejected out of hand.

V. THE COMMISSION CANNOT AVOID THE “NECESSARY AND “IMPAIR” STANDARDS OF SECTION 251(D) BY CASTING “LINE SHARING” AS SOMETHING OTHER THAN A NETWORK ELEMENT.

Despite the unsupported claims of some parties that the Commission can order line sharing as an “interstate access service”⁸ or as some form of “expanded interconnection”⁹ (presumably to avoid the need to comply with the Act’s “necessary” and “impair” standards), the Commission simply cannot do so. Even ALTS acknowledges that “(l)ine sharing is a ‘capability’ of the local loop, and is thus a network element under the plain language of the 1996 Act.”¹⁰ Moreover, the Comments amply demonstrate that the Commission cannot order line sharing without demonstrating that it satisfies the “necessary” and “impair” standards imposed by Congress in section 251(d)(2) of the 1996 Act. The comments make it equally clear that line sharing as described in the FNPRM simply does not meet those standards.¹¹

VI. CONCLUSION

For the foregoing reasons, the Commission should avoid imposing these overly-intrusive regulatory measures, hewing instead to its commitment to “take deregulatory

⁸ See, e.g., Comments of ALTS, at 14-15; Comments of Covad, at 14-18; Comments of Network Access Solutions, at 9-10.

⁹ Comments of NorthPoint, at 24.

¹⁰ Comments of ALTS, at 11 (emphasis added).

¹¹ See, e.g., Comments of BellSouth, at 7-8; Comments of US West, at 16-17; Comments of Bell Atlantic, at 9; Comments of Rural Telephone Coalition, at 7-9; Comments of USTA, at 3-7.

steps” to “create incentives for providers of advanced services to innovate and to develop and deploy new technologies.”¹² The heavy-handed measures urged in the Comments of some parties should be rejected in favor of free, full and fair competition, which is still the best driving force for fulfilling the Commission’s statutory duty to “encourage deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans”¹³

Respectfully submitted,


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¹² FNPRM, ¶¶ 3-4.

¹³ Pub. L. 104-104, Title VII, § 706(a), Feb. 8, 1996, 100 Stat. 153.

CERTIFICATE OF SERVICE

I, Grace Germain, do hereby certify that a copy of the Reply Comments of Ameritech has been served on the party listed on the attached service list, via first class mail, postage prepaid, on this 22th day of July, 1999.

By: Grace Germain
Grace Germain